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Senate endorses Reagan's move to quit World Court

By Thomas D. Brandt
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The Senate, by a large margin, yesterday backed President Reagan's decision earlier this month to withdraw the United States from the compulsory jurisdiction of the World Court, which is currently considering a case against the United States brought by Nicaragua.

The 74-21 vote came after just a few minutes of floor debate on an amendment by Sen. Mark Hatfield, Oregon Republican, and Sen. Patrick Moynihan, New York Democrat.

In a strongly worded speech, Mr. Hatfield said the administration's action was part of a "dangerous theological agenda" that included attempts to overthrow the leftist government of Nicaragua.

In a statement from his office, he said that "Khomeini, Qaddafi and all the other world class thugs who thrive on the rule of the jungle will no doubt welcome this decision" to withdraw from the court's jurisdiction.

During the debate, Sen. Ernest Hollings, South Carolina Democrat, said that he had visited with Nicaraguan President Daniel Ortega since the 1979 revolution in that country and found that his promises of democratic reform were empty. "We gave him \$75 million and an additional \$50 million and none of the promises came forth.

"This is not an issue for the law reviews for the campuses of America," Mr. Hollings said. "They've never been elected to anything."

The Hatfield amendment was offered to the State Department appropriation bill and would have withheld U.S. funding for all interna-

tional organizations until the administration reversed its decision on the World Court. Mr. Hatfield is chairman of the Appropriations Committee.

Mr. Reagan on Oct. 7 announced that the United States was withdrawing from the World Court's compulsory jurisdiction because the tribunal is trying the Nicaraguan case. The administration claims a political issue is being used for propaganda purposes by the communist bloc.

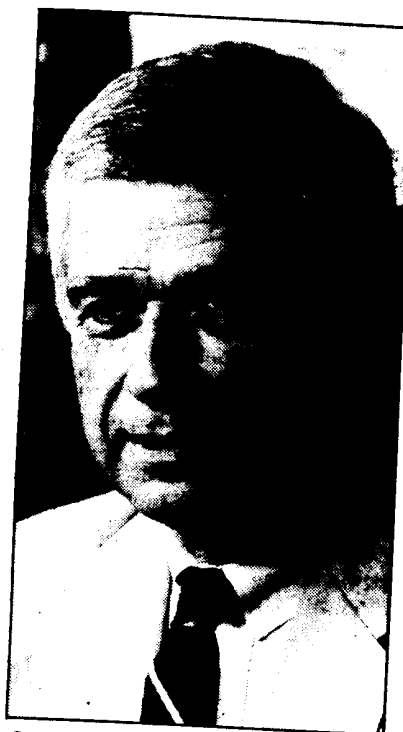
Abraham D. Sofaer, the State Department's legal adviser, said at the time that the president's decision does not end all U.S. relations with the court — formally known as the Court of International Justice at The Hague in the Netherlands — or represent an abandonment of the administration's commitment to the international rule of law.

Nicaragua claimed in a suit filed last fall that the United States violated international law when CIA-backed insurgents mined Nicaraguan harbors and provided aid to resistance fighters who are trying to overthrow Nicaragua's government.

Mr. Moynihan agreed with the administration's position that the Nicaraguan claim is invalid but said that the United States should have resolved the issue with a counter-suit.

The administration declared in January that it would not participate in the case. The court decided it had jurisdiction anyway and has proceeded to try the case. No decision has been reached.

Mr. Hatfield said that the administration withdrew from the court's jurisprudence because the country's



Sen. Mark Hatfield

"policies are not defensible."

"It is interesting to note that while the justification for withdrawal was ostensibly to deny hostile countries a forum for deriding the U.S., votes were cast against the U.S. position by judges from Britain, France, West Germany, and even the judge representing the United States," he said.

Mr. Hatfield said he shared the administration's objective that the court not be used as a "propaganda" forum, but said without the court "the other option is the jungle, and terrorism is the great weapon of the jungle."

The vote came as the Senate debated legislation providing nearly \$12 billion for the current fiscal year for the departments of State, Commerce and Justice and other federal agencies.

The bill includes nearly \$250 million more in appropriations than Mr. Reagan recommended, but it is well within the spending guidelines Congress set for itself this year. Final approval is expected either today or early next week.